

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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<b>SECURITIES AND EXCHANGE COMMISSION</b>	:	
<b>Plaintiff,</b>	:	
<b>- vs -</b>	:	<b>08 Civil Action No: 4612 (CM)</b>
	:	<b>ECF Case</b>
	:	
<b>JOHN MICHAEL KELLY,</b>	:	
<b>STEVEN E. RINDNER, and</b>	:	
<b>MARK WOVSANIKER</b>	:	
	:	
<b>Defendants.</b>	:	

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**CERTIFICATE OF SERVICE**

I, Stephen G. Topetzes, hereby declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that:

I am a partner at the law firm K&L Gates LLP, attorneys for Defendant Mark Wovsaniker.

On August 9, 2010, I served a true and correct copy of the foregoing Notice of Motion to Strike Plaintiff SEC's Rule 56.1(b) Statement of Additional Material Facts and accompanying Memorandum of Law, in the above-captioned matter on counsel of record via the Court's ECF System.

Executed on August 9, 2010.

Respectfully submitted,

K&L GATES LLP

By: /s/ Stephen G. Topetzes  
Stephen G. Topetzes, Esq. (ST-4145) (admitted pro hac vice)  
Glenn R. Reichardt (GR-2394) (admitted pro hac vice)  
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